

## **RESOLUTION: RE: CITY MANAGER'S FY 2005 CONTRACT**

- WHEREAS:** The City Manager's current contract expires on July 22, 2004, and
- WHEREAS:** The anniversary date automatically renews the city manager's current contract and salary for another year, and
- WHEREAS:** The City Council has not reviewed the city manager's performance in over two years, and
- WHEREAS:** The City of Dover does not currently have a comprehensive employment agreement with the city manager.

**NOW THEREFORE, BE IT RESOLVED:** That the Dover City Council extend the current employment agreement of no more than 120 days from the rollover date of July 22<sup>nd</sup>.

**BE IT FURTHER RESOLVED:** That the Dover City Council execute the following outline and operate under the conditions as listed below:

- (1). Agree on and retain legal counsel to represent the City Council in contract negotiations with the City Manager. Legal counsel must be retained no later than 30 days from the passage of this resolution.
- (2). Complete all forms of performance review of the City Manager within 90 days from passage of this resolution. The City Council and City Manager may each schedule different forms of performance review. The reviews shall be at the convenience of the City Council.
- (3). The Manager shall be paid the FY 2005 approved rate of compensation beginning July 22, 2004.
- (4). Failure to settle, agree and adopt a new work contract for the City Manager within the 120 day time period shall cause the current one page agreement to expire and move the Manager's employment status to a "per diem" employee. This change in status shall not effect a termination of the City Manager's employment, which may only be effected in accordance with Section C5-3 of the Dover City Charter.
- (5). No public funds shall be used by the city manager for legal assistance in contract negotiations.

Sponsored By:

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Jason T. Hindle, Mayor Pro-Tem

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Dean Trefethen, Ward Four Councilor

